

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

**BILL OF INFORMATION FOR
WIRE FRAUD**

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|--------------------------|---|----------------------------|
| UNITED STATES OF AMERICA | * | CRIMINAL NO. |
| v. | * | SECTION: |
| APOLONIA KIMBLE | * | VIOLATION: 18 U.S.C. §1343 |
| | * | * |
| | * | * |

The United States Attorney charges that:

COUNT 1

A. AT ALL TIMES MATERIAL HEREIN:

1. On or about August 29, 2005, Hurricane Katrina struck southeastern Louisiana and shortly thereafter a major disaster was declared. Similarly, a major disaster was declared in Louisiana as a result of Hurricane Rita, which made landfall on September 24, 2005. In response to these hurricanes and the damage inflicted upon the Southeastern Louisiana area, the American Red Cross (“Red Cross”) established assistance centers throughout the region in the late summer and early fall of 2005.

2. At these assistance centers, people affected by the storms were able to apply for a one-time only financial grant of up to \$1,565 from the Red Cross. In order to receive these funds, applicants needed to present identification to a Red Cross representative that indicated residence in an affected zone. Applicants were also asked if they had previously received financial assistance from the Red Cross and were required to attest and sign a statement that certified that the applicant had not received any other financial assistance from the Red Cross from any other assistance center.

3. Once approved, the Red Cross made these disaster assistance funds available in one of four ways: (1) A personal check made payable to the applicant, issued on-site, and cashed with the assistance of the Red Cross; (2) A Red Cross-issued "Discover" card, issued on-site; (3) A Red Cross-issued Client Assistance Card, which the Red Cross purchased from national banks and which operated in a manner consistent with debit/credit/ATM cards, issued on-site; (4) A personal check authorized by the Red Cross and mailed through the United States Postal Service to an address provided by the applicant.

4. The Red Cross purchased 200,000 "gift cards" from Discover, a credit card company. These gift cards were "loaded" with a specific amount of money, depending upon the applicant's qualifications. The cards were activated by the applicant's calling an activation hotline and were thereafter usable in a manner otherwise consistent with a debit/credit card. The authorization and tracking of purchases and withdrawals for the Discover gift cards were routed to data centers located in Columbus, Ohio and Dallas, Texas.

5. The defendant, **APOLONIA KIMBLE**, presented herself to Red Cross assistance centers in the Eastern District of Louisiana and elsewhere on five occasions between on or about September 30, 2005 and on or about October 6, 2005. On at least four of the visits, she applied for financial

assistance and falsely and fraudulently stated that she had not received any other financial assistance from the Red Cross. As a result of her false and fraudulent statements on these applications, **APOLONIA KIMBLE**, received direct financial assistance from the Red Cross in one of the four manners described above, totaling \$7,290, of which \$5,725 was fraudulently obtained.

B. THE SCHEME TO DEFRAUD:

From on or about September 30, 2005 to on or about October 6, 2005 in the Eastern District of Louisiana and elsewhere, the defendant, **APOLONIA KIMBLE**, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud and to obtain money and property from the Red Cross, by means of false representations, pretenses, and promises, by falsely and fraudulently obtaining financial assistance from the Red Cross, beyond that to which she was entitled.

It was part of the scheme and artifice to defraud that the defendant, **APOLONIA KIMBLE**, stated on or about October 4, 2005, in the Eastern District of Louisiana, that she had not received any other Hurricane Katrina or Rita financial assistance from the Red Cross at any other assistance center when, in truth and in fact, she had received such assistance on prior occasions.

C. THE USE OF THE WIRE:

On or about October 5, 2005, in the Eastern District of Louisiana, the defendant, **APOLONIA KIMBLE**, for the purpose of executing and attempting to execute the scheme and artifice to defraud as described in Parts A and B, did knowingly and willfully cause to be transmitted in interstate commerce certain writings, signs, signals, and sounds by means of wire communications when the defendant, **APOLONIA KIMBLE**, used a Red Cross-issued Discover debit/credit card numbered XXXX-XXXX-XXXX-7930 to obtain property, goods, services, and money in the Eastern

District of Louisiana, specifically at Bj's Warehouse located in Hammond, Louisiana, which caused a signal, sign, writing, or sound to be transmitted to a Discover Card data center outside the state of Louisiana, approving the transaction, resulting in the transmittal of an electronic authorization back to Bj's Warehouse located in Hammond, Louisiana, allowing the defendant, **APOLONIA KIMBLE**, to receive the property, goods, services, and money by the use of the falsely and fraudulently obtained Discover debit/credit card issued to the defendant, **APOLONIA KIMBLE** on or about October 4, 2005; all in violation of Title 18, United States Code, Section 1343.

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